

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Timothy Gales,

Plaintiff,

Case No. 2:21-cv-328

v.

Judge Michael H. Watson

Thomas P. Charles, et al.,

Magistrate Judge Jolson

Defendants.

ORDER

Plaintiff moves for reconsideration of the Court's Opinion and Order dismissing this case for failure to prosecute. ECF No. 11. The Court construes the motion as one for relief from judgment pursuant to Federal Rule of Civil Procedure 60(b). The motion states that Plaintiff never timely received Judge Jolson's Show Cause Order, dated September 16, 2021, but did receive the Court's order dismissing the case. *Id.* Plaintiff further argues that he finally received Judge Jolson's September 2021 order in June 2022, and he attaches to his motion an article from the Columbus Dispatch concerning a backlog of mail processing in central Ohio. *Id.*

Plaintiff was originally permitted to proceed past the initial screening stage of litigation. Moreover, the Court prefers to resolve cases on their merits. The Court finds good cause exists to grant Plaintiff's motion under Rule 60(b)(6). The Court therefore grants Plaintiff relief from the final judgment, ECF No. 11, in this

case. Plaintiff has **THIRTY DAYS** to serve the Amended Complaint on Defendants.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT